GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:5438
ANSWERED ON:29.04.2013
CONTRACT LABOUR
Jaiswal Shri Gorakh Prasad ;Khaire Shri Chandrakant Bhaurao;Pakkirappa Shri S.;Rama Devi Smt. ;Sinh Dr. Sanjay;Yadav Shri M. Anjan Kumar

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the details of provision and law for employing contract labour in an establishment;

(b) the details of action taken against such establishments which violate the statutory provisions under all labour laws, State-wise during each of the last three years and the current year;

(c) whether the Government has not maintained the centralised record of persons working on contract basis in various Ministries/ Departments/Establishments;

(d) if so, the reasons therefor;

(e) whether there have been several cases where contract labourers have not been paid minimum wages or have not been provided with their entitled benefits and if so, the reasons therefor along with the action taken in this regard; and

(f) whether there are disparities between States in ensuring minimal working conditions for such contract labourers and if so, the details of the steps taken by the Government to address the same?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI KODIKUNNIL SURESH)

(a): The Contract Labour (Regulation and Abolition) Act, 1970 was enacted and The Contract Labour (Regulation And Abolition) Central Rules, 1971 were made thereunder, to regulate the employment of contract labour in establishments and contractors covered under the Act. The above mentioned Act and Rules have detailed provisions for registration of establishments and grant of licence to contractors, Welfare and Health of contract labour, payment of wages etc.

Social security aspects of contract workers under Employees Provident Fund and Miscellaneous Provision Act, 1952 and Employees State Insurance Act 1948, are enforced by the Employees Provident Fund organization and Employees State Insurance Corporation respectively provided the establishments in which contract workers are working are covered under the said Acts.

(b): No centralized State-wise data for violation of statutory provisions under various Labour Laws in respect of Contract Labour is maintained. However, the details of inspection conducted, irregularities found and action taken thereon under Contract Labour (Regulation and Abolition) Act, 1970, Payment of Gratuity Act, 1972, Minimum Wages Act, 1948, Payment of Bonus Act, 1965, Interstate Migrant Workmen (RE&CS) Act, 1979, Employees State Insurance Act, 1948 and Employees Provident Fund and Miscellaneous Provisions Act, 1952 are as per Annexure-A.

(c) & (d): No centralized data is maintained in this regard because Central and State Governments are the 'appropriate Government' in respect of the establishments under their jurisdiction. However, the estimated number of contract labour engaged by licensed contractors in Central Sphere is 18.44 lakhs.

(e): As mentioned at (b) above.

(f): There are provisions under the Act that the appropriate Government make rules for carrying out the purposes of this Act including various provisions for facilities to contract labour and, therefore, may vary where the State Government is the "Appropriate Government".